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AN ACT

RELATING TO HEALTH; CREATING THE GOVERNOR'S HIV AND AIDS
POLICY COMMISSION; ESTABLISHING MEMBERSHIP AND DUTIES;
REQUIRING THE DEPARTMENT OF HEALTH TO PROVIDE ADMINISTRATIVE
SERVICES TO THE COMMISSION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. COMMISSION CREATED--MEMBERS--DUTIES.--

A. There is created the "governor's HIV and AIDS
policy commission", consisting of twenty-three members as
follows:

- (1) the secretary of health or the
secretary's designee;
- (2) the secretary of human services or the
secretary's designee;
- (3) the secretary of public education or the
secretary's designee;
- (4) the chief medical officer of the
corrections department or the officer's designee;
- (5) the chair of the department of health's
medical advisory committee;
- (6) the executive director of the New Mexico
medical insurance pool or the director's designee;
- (7) a representative from each of the six
health management alliance organizations, appointed by the

1 governor;

2 (8) six consumers reflecting the diversity
3 of the HIV and AIDS populations in New Mexico, including
4 Native Americans and other people of color, appointed by the
5 governor; and

6 (9) five public members who have expertise
7 in HIV and AIDS services, prevention, program administration,
8 financial management and other categories of expertise
9 required under federal planning requirements, appointed by
10 the governor.

11 B. The governor shall appoint the chair of the
12 commission. Members appointed by the governor shall serve
13 for terms of three years, except that the initial term of
14 seven members shall be two years. Vacancies of the appointed
15 members shall be filled by appointment by the governor for
16 the remainder of the unexpired term. Appointed members shall
17 receive per diem and mileage as provided in the Per Diem and
18 Mileage Act but shall receive no other compensation,
19 perquisite or allowance. The commission shall be
20 administratively attached to the department, which shall
21 provide administrative services to the commission.

22 C. The commission shall:

23 (1) review and make recommendations on
24 department HIV and AIDS policies;

25 (2) study and make recommendations to the

1 department on all factors affecting the availability, quality
2 and accessibility of health services for persons with HIV and
3 AIDS, including:

4 (a) review and consult with the
5 department's medical advisory committee regarding the HIV and
6 AIDS drug formulary and policies of selection, utilization
7 and provision of those drugs; and

8 (b) review policies and practices of
9 each state agency with responsibilities to persons with HIV
10 and AIDS, including statutes and rules governing these
11 responsibilities;

12 (3) serve as a planning and advisory group
13 to the department's HIV and AIDS services program;

14 (4) annually provide its evaluation and
15 recommendations to the department for inclusion in the
16 department's annual report, including recommendations for
17 administrative and legislative changes, for resource
18 allocation by the department and for funding;

19 (5) provide information on HIV and AIDS
20 programs and issues as requested by the executive and
21 legislative branches of government;

22 (6) advocate for improved and expanded
23 services for persons living with HIV and AIDS; and

24 (7) establish task forces as it deems
25 necessary.

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D. For purposes of this section:

(1) "commission" means the governor's HIV and AIDS policy commission;

(2) "department" means the department of health;

(3) "HIV and AIDS" means human immunodeficiency virus and acquired immune deficiency syndrome; and

(4) "consumers" means people living with HIV and AIDS.
